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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,806	03/19/2004	Andreas S. Krebs	6631P010	8888
8791 7590 01/28/2008 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER CHEUNG, VICTOR	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 01/28/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/804,806	Applicant(s) KREBS ET AL.	
	Examiner Victor Cheung	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to Applicant's reply, dated 10/19/2007.

Claims 1-22 are pending.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-11, and 21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Re Claim 1: Claim 1 is drawn to an authoring tool including a role allocation module and a function allocation module. A module, reasonably interpreted to be a computer software or program, does not fall into any one of the four statutory categories of process, machine, manufacture, or composition of matter. A software claim must be made to a proper computer readable medium encoded with functional descriptive material that can function with a computer to effect a useful, concrete, and tangible result in order to be statutory subject matter.

Claims 2-11 do not resolve the deficiencies of claim 1.

Claim 21 is rejected for the same reasons as claim 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 and 12-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Owens et al. (US Patent No. 6,315,572) in view of Sadhwani-Tully (US Patent No. 6,785,822) and Griffin et al. (US Patent No. 6,917,975).

Re Claims 1, 12, 21, and 22: Owens et al. disclose an authoring tool to structure and create a computer based training course, the authoring tool including a instructional design role (Fig. 8) and a content definition role (Figs. 9-12) (Fig. 13, "Lesson Data" and "Relevant Data"). The authoring tool includes a plurality of functions, tools, buttons, etc., as seen in figures 8-11. The authoring tool is also encoded on a machine readable medium (Col. 25, Lines 29-30).

However, Owens et al. do not specifically disclose that the functions are allocated via a role allocation module and a function allocation module, wherein the role selection is made by the user for the user to assume and is stored on memory, and that the functions are selected by the user.

Sadhwani-Tully disclose a system and method for role based configuration of user profiles, including a role allocation module (Fig. 4, Ref. 402) and a function allocation module (Fig. 4, Ref. 408, 410, 412, 418) for allocating functions to each of the roles ("Profiles") by an administrator.

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Griffen et al. disclose that administrative capabilities such as customizing or personalizing user interface elements can be delegated and distributed to users with inferior roles to the primary administrators (Col. 10, Lines 1-19).

It is inherent of a configuration system such as that of Sadhwani-Tully to include memory to store selections and preferences of the user.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include modules to customize the functions available to users under specific roles or profiles, thereby ensuring that the user is presented only with the functions the user requires or has access to.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the user with the role allocation and function allocation modules such that the system administrator's number of tasks to be responsible for is reduced.

Re Claim 2 and 13: Owens et al., in view of Sadhwani-Tully and Griffen et al., teach the limitations of claim 1 above.

However, Owens et al. do not specifically teach the function allocation module allocating default sets of instructions.

Sadhwani-Tully teaches that the functions may be set to be the default functions (Fig. 4, Ref. 426; Col. 6, Lines 20-22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to create default sets of functions such that the user is not required to run the function allocation modules each time the user wishes to regularly use a specific set of functions.

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Re Claim 3 and 14: Owens et al., in view of Sadhwani-Tully and Griffen et al., teach the limitations of claim 1 above.

However, Owens et al. do not specifically teach disallowing of sets of functions to the roles.

Sadhwani-Tully teaches that by granting functionality to a set of functions, the module is consequently limiting access functionality from specific groups or users (Col. 1, Lines 49-52).

Re Claims 4-5 and 15-16: Owens et al., in view of Sadhwani-Tully and Griffen et al., teach the limitations of claim 1 above.

However, Owens et al. do not specifically teach presenting allocatable sets of functions for user selection.

Sadhwani-Tully teaches presenting allocatable sets of functions for user selection for the plurality of roles (Fig. 5A; Col. 6, Line 38 – Col. 7, Line 7). Each role/profile has an associated set of functions that are displayed (“action group”, Col. 6, Lines 52-54).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to present the sets of functions for user selection such that the user may easily select the functions to be allocated.

Re Claims 6 and 17: Owens et al. disclose the use of check boxes in an interface (Col. 21, Lines 49-52).

Examiner takes OFFICIAL NOTICE that the use of check boxes is well known in the art as one of the many methods to providing user input in any system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use check boxes in the graphical user-selection mechanism, providing the user with a simple method to select a plurality of items.

Re Claims 7-10 and 18-20: Note that claims 7-10 and 18-20 are drawn to the limitations of a GUI customization module that share similar characteristics of the functions of claims 1-6 and 12-17, respectively.

Sadhwani-Tully teaches the GUI module to customize a display of functions to the user based on a user role (as per claims 7 and 18), selectively displaying user-selectable indicia only for functions allocated to the user role (as per claims 8 and 19), and displaying the user-selectable indicia within at least one of a drop-down menu, a pop-up menu, and function tabs within the GUI (as per claims 9 and 20). See figures 5A-6B.

Sadhwani-Tully teaches that the allocation module and the function allocation module comprise sub-modules of a customization module (Fig. 4).

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Owens et al. (US Patent No. 6,315,572), Sadhwani-Tully (US Patent No. 6,785,822), and Griffin et al. (US Patent No. 6,917,975) as applied to claim 1 above, and further in view of Boon (US Patent Application Publication No. 2004/0219494).

Re Claim 11: Owens et al., in view of Sadhawani-Tully and Griffin et al., teach the limitations of claim 1 above.

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However, they do not specifically teach that the modules are part of a setup-wizard.

Boon teaches that the use of wizards are well known in the art (Paragraph 101).

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a setup wizard including the role allocation and function allocation modules, providing the user a guided process to use the role allocation and function allocation modules.

Response to Arguments

7. Applicant's arguments filed 10/19/2007 have been fully considered but they are not persuasive.

Applicant argues that the inclusion of "a memory to store the record selection" by way of amendment meets the requirements of 35 U.S.C. §101. However, because the role allocation module and the function allocation module are both still software modules and/or programs, the claims do not meet the requirements of 35 U.S.C. §101. As discussed above, a software claim must be made to a proper computer readable medium encoded with functional descriptive material that can function with a computer to effect a useful, concrete, and tangible result in order to be statutory subject matter.

8. Applicant's arguments with respect to claim 1, 12, 21, and 22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cortesi (US Publication 2006/0271863) discloses a user definable task based interface wherein the user defines his role in a program and assigns various tools for each of the role's tasks in a custom interface.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Cheung whose telephone number is (571) 270-1349. The examiner can normally be reached on Mon-Fri, 9-5:00.

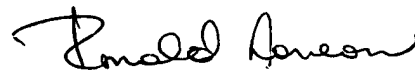
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

VC

Victor Cheung
January 21, 2008



RONALD LANEAU
PRIMARY EXAMINER

1/22/08